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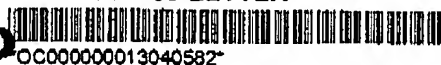
APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,127	04/07/2004	Kenneth J. Micklash II	36-003210US

CONFIRMATION NO. 8255

22798

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.  
P O BOX 458  
ALAMEDA, CA 94501

FORMALITIES LETTER

**RECEIVED**

OC000000013040582

JUN 25 2004

Date Mailed: 06/23/2004

Quine Intellectual Property Law Group, P.C.

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

RESPONSE DUE Aug. 23, 2004Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1798 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2698 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1798

01/31/2005 SLUANG1 00000004 501085 10821127  
01 FC:1051 130.00 DA

**DOCKETED**

on 6/28/04


Void date: 01/31/2005 SLUANG1 10821127  
01/31/2005 SLUANG1 00000004 501085  
01 FC:1051 130.00 CR

- \$430 for 5 independent claims over 3.
- \$1368 for 76 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
 \*\*\*\*\*

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GNF Docket No.: P1088US10  
 Confirmation No.: 8255

PTO/SB/87 (06-03)  
 Approved for use through 07/31/2006, OMB 0651-0031  
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### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence for U.S. Patent Application No. 10/821,127 filed April 7, 2004 in re Kenneth J. Micklash II is being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (703) 746-4060 on November 23, 2004.

Date

*Jill R. Clarke*

Signature

Jill R. Clarke

Typed or printed name of person signing Certificate

Customer No. 29490  
 Genomics Institute of the Novartis Research Foundation  
 Telephone: 858-812-1855  
 Fax: 858-812-1981

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#### Attachments:

1. Form PTO/SB/21 Transmittal Form (1 pg.);
2. Form PTO/SB/17 Fee Transmittal FY 2005 (Form PTO/SB/17) (1 pg. + 1 pg. copy);
3. One Form PTO/SB/01A Declaration executed by Kenneth J. Micklash II (1 pg.);
4. One Form PTO/SB/01A Declaration executed by Robert Charles Downs, Jim Yuchen Chang, and James Kevin Mainquist (1 pg.);
5. Supplemental ADS (5 pgs.);
6. One executed inventor Assignment to IRM LLC (5 pgs.);

GNF Docket No.: P1088US10  
Confirmation No.: 8255

PTO/SB/97 (05-03)  
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Date

Jill R. Clarke

Signature

Jill R. Clarke

Typed or printed name of person signing Certificate

*Retransmittal -  
Return Receipt  
Requested.*

*-jc*

Customer No. 29490  
Genomics Institute of the Novartis Research Foundation  
Telephone: 858-812-1855  
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5. Supplemental ADS (5 pgs.);
6. One executed inventor Assignment to IRM LLC (5 pgs.);
7. Copy of executed IRM LLC Power of Attorney to Timothy L. Smith (1 pg.);
8. One executed Statement Under 37 CFR 3.73(b) (1 pg.);
9. Executed Power of Attorney Form SB/81 (1 pg.);
10. Copy of Notice to File Missing Parts mailed 08/02/04 (2 pgs.); and
11. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.8 (1 pg.).

Total pages (including this paper): 21

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# TRANSMITTAL FORM

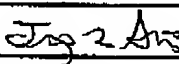
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/821,127	
	Filing Date	04/07/2004	
	First Named Inventor	Kenneth J. Micklash II	
	Art Unit	1743	
Total Number of Pages in This Submission	21	Attorney Docket Number	36-003210US (P1088US10)

## ENCLOSURES (check all that apply)

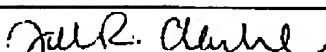
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/21 Transmittal Form (1 pg.); 2. Form PTO/SB/17 Fee Transmittal FY 2005 (Form PTO/SB/17) (1 pg. + 1 pg. copy); 3. One Form PTO/SB/01A Declaration executed by Kenneth J. Micklash II (1 pg.); 4. One Form PTO/SB/01A Declaration executed by Robert Charles Downs, Jim Yuchan Chang, and James Kevin Mainquist (1 pg.); 5. Supplemental ADS (5 pgs.); 6. One executed Inventor Assignment to IRM LLC (5 pgs.); 7. Copy of executed IRM LLC Power of Attorney to Timothy L. Smith (1 pg.); 8. One executed Statement Under 37 CFR 3.73(a) (1 pg.); 9. Executed Power of Attorney Form SB/81 (1 pg.); 10. Copy of Notice to File Missing Parts mailed 08/02/04 (2 pgs.); and 11. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.8 (1 pg.).
Remarks: The Director is authorized to charge any additional fees to Deposit Account No. 50-1885. A three-month extension of time to reply to the Notice to File Missing Parts mailed on June 23, 2004 is respectfully requested.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Timothy L. Smith, Registration No. 35,367		
Signature			
Date	November 23, 2004		

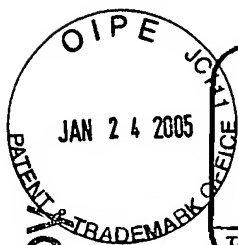
## CERTIFICATE OF TRANSMISSION/MAILING

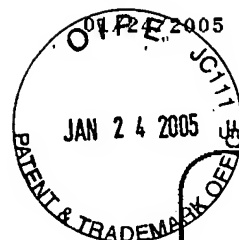
I hereby certify that this correspondence is being facsimile transmitted to the US PTO at facsimile No.: 703-746-4060 on the date shown below.

Typed or printed name	Jill R. Clarke		
Signature		Date	November 23, 2004

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01/24/2005 13:16 FAX 8588121909

GNF

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PTO/SB/17 (10-04v2)

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 3,708

## Complete if Known

Application Number	10/821,127
Filing Date	04/07/2004
First Named Inventor	Kenneth J. Micklash II
Examiner Name	
Art Unit	1743
Attorney Docket No.	35-003210US (P1088US10)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

50-1885

Deposit  
Account  
NameGenomics Institute of the Novartis Research  
Foundation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☒ Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	790
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)790

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 end over original patent	
SUBTOTAL (2)					(\$)1808

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	950	2253	490	Extension for reply within third month	980
1254	1,390	2254	785	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	2806	180	Submission of Information Disclosure Stmt	
8021	40	2801	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 1110

## SUBMITTED BY

## Complete if applicable

Name (Print/Type)	Timothy L. Smith	Registration No. (Attorney/Agent)	35,367	Telephone	858-812-1547
Signature		Date	November 23, 2004		

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